

A CERTIFIED TRUE COPY

OCT 24 2005

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

2005 OCT 23 PM 2:40 OCT - 6 2005

DOCKET NO. 1657

LORETTA G. WHYTE, CLERK'S OFFICE
CLERK

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-26)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,668 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

05-1255

Inasmuch as no objection is pending at this time, the stay is lifted.

OCT 24 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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NOV 15 2005

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

05 DEC - 8 PM 3:17

FILED BY D.C.

Fee	_____
Process	_____
Extd.	_____
Clerk Dep.	_____
Doc. No.	14473

8

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TENNESSEE

THOMAS M. GOULD
CLERK OF COURT

JACKSON (731) 421-9200
FAX (731) 421-9210

December 22, 2005

Ms. Loretta G. Whyte, Clerk
United States District Court
500 Poydras St., Ste. C-151
New Orleans, LA 70130

RE: Case #05-1255, Paslay v. Merck, ED of LA #05-3902 L (3)
#05-1169, Thomason v. Merck, ED of LA #05-3900 L (3)

Dear Ms. Whyte:

Pursuant to the Orders of Transfer on the above-styled cases, please find enclosed a certified copy of the Notice of Removal, lower court complaint, docket sheet, MDL transfer order and a copy of the transfer letter to the transferor court, for each case. Please indicate receipt of this correspondence on the enclosed copy of this letter and return to our office in the enclosed self-addressed stamped envelope. Thank you.

THOMAS M. GOULD, CLERK
By: 
Emily J. Smith
Case Manager

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA
OFFICE OF THE CLERK

LORETTA G. WHYTE
CLERK

500 POYDRAS ST., SUITE C-151
NEW ORLEANS, LA 70130

December 2, 2005

Robert DiTrolio
United States District Court
Western District of Tennessee
111 S. Highland
Jackson, TN 38301

RECEIVED
05 DEC -8 PM 3:43
HONORABLE ELDON E. FALLON,
U.S. DISTRICT COURT
CLERK'S OFFICE OF JACKSON

In Re: MDL 1657 Vioxx Products Liability Litigation L (3)

Dear Mr. DiTrolio:

Enclosed are certified copies of a transfer order received from the Multidistrict Litigation Panel in Washington, D.C. It instructs that the cases listed on the attached page be transferred to our district for disposition pursuant to Title 28 USC 1407, as soon as possible. Our office has assigned new civil action numbers to these cases as referenced on the attached page.

DO NOT FORWARD THE ORIGINAL RECORD. The Honorable Eldon E. Fallon, U.S. District Court Judge issued an order directing that the transfer of records consist of only a certified copy of the complaint (including notice of removal, if applicable), any amendments, the docket sheet and the MDL Transfer Order, together with a copy of the transfer letter be forwarded to the transferor court.

Due to the high volume of cases involved in this litigation please provide paper copies of the above documents instead of simply referring to your website.
Your prompt attention in this matter is greatly appreciated.

Should you have any questions regarding this request, please contact Dina Guilbeau at (504)589-7704.

Very truly yours,
Loretta G. Whyte, Clerk

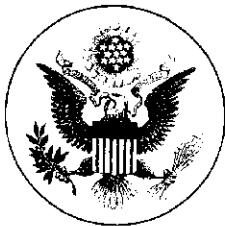
By Loretta G. Whyte
Deputy Clerk

Enclosures
cc: Judicial Panel on Multidistrict Litigation

05-1255

<u>Your Case Nos.</u>	<u>Case Title</u>	<u>Our Case Nos.</u>
1:05-1240	Barbara Jean Snider v. Merck & Co., Inc.	05-5407 L (3)
1:05-1241	James H. Wilbanks v. Merck & Co., Inc.	05-5408 L (3)
1:05-1242	Linda Jones v. Merck & Co., Inc.	05-5409 L (3)
1:05-1243	Carolyn Butler v. Merck & Co., Inc.	05-5410 L (3)
1:05-1251	Brenda J. Smith v. Merck & Co., Inc.	05-5411 L (3)
1:05-1252	Sally T. Hatch v. Merck & Co., Inc.	05-5412 L (3)
1:05-1254	Mary L. Woods v. Merck & Co., Inc.	05-5413 L (3)
1:05-1255	Matha Paslay v. Merck & Co., Inc.	05-5414 L (3)

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF TENNESSEE



Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 1:05-CV-01255 was distributed by fax, mail, or direct printing on December 22, 2005 to the parties listed.

Lisa M. Martin
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Kathryn E. Barnett
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP- Nashville
One Nashville Place
150 4th Ave., N.
Ste. 1650
Nashville, TN 37219--242

Honorable James Todd
US DISTRICT COURT